

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

vs.

CR. NO. 92-00337-001 (JAF)

JOSE B. COLON-REYES

* * * * *

SUPPLEMENT TO MOTION FILED ON DECEMBER 20, 2004

TO THE HONORABLE JOSE A. FUSTE, CHIEF
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO

COMES NOW, Martín De Santiago, U.S. PROBATION OFFICER of this Court, presenting an official report on the conduct and attitude of releasee, José B. Colón-Reyes, who on August 23, 1993, was sentenced to 121 months of imprisonment and four (4) years of supervised release after having been convicted of violating Title 21, U.S. Code, § 952(a) and Title 18, United States Code, Section 2. On November 9, 2001, the offender was released from custody at which time the imposed supervision term commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The offender's preliminary hearing for the Domestic Violence case has been re-scheduled once more. It is now set for April 29, 2005 at the Bayamon Superior Court.

The offender turned himself in on March 17, 2005 as he was aware of an outstanding warrant for his arrest. On said date, he was interviewed by the undersigned officer and he admitted having been charged with Driving While Intoxicated (DWI), a Misdemeanor, about two weeks ago, and that he had a court

hearing on March 28, 2005 for this matter. Subsequently, we conducted an investigation which revealed that on February 29, 2005 at 11:30 a.m., the offender was intervened by Puerto Rico Police Agents and he was charged with DWI, Article 7.02, Law 22, of the Puerto Rico Traffic Law. Personnel at the Bayamon Judicial Center confirmed that trial was set for March 28, 2005 for the aforementioned case.

The offender, furthermore, tested positive to cocaine on March 17, 2005. He readily admitted to cocaine use and voluntarily signed an admission statement to that effect.

WHEREFORE, I declare under penalty of perjury that the foregoing is true and correct and in lieu of the offender's new involvement in criminal behavior while on supervised release, it is respectfully requested, unless ruled otherwise, that the court take into account the content of this motion at the show cause hearing. Thereupon, he be dealt with pursuant to law.

In San Juan, Puerto Rico, this 21st day of March 2005.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Martin De Santiago
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CERTIFICATE OF SERVICE

I HEREBY certify that on March 21, 2005, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Sonia I. Torres-Pabón, Assistant U.S. Attorney, and Joseph C. Laws, Federal Public Defender. I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

Mr. José B. Colón-Reyes, Registration Number 08184-069, c/o Metropolitan Detention Center, P.O. Box 2147, San Juan, P.R. 00922.

In San Juan, Puerto Rico, this 21st day of March 2005.

s/Martin De Santiago
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MDS